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# LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM



H. M. LAMBERT PHOTO

REENACTING EARLY AMERICAN RELIGIOUS LIFE

**Feature Article by U. S. Senator James J. Davis on a Call for Religious Liberty**

15 CENTS A COPY

WASHINGTON, D.C.

# DECLARATION of PRINCIPLES

## Religious Liberty Association

1. We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ.
2. We believe that the ten commandments are the law of God, and that they comprehend man's whole duty to God and man.
3. We believe that the religion of Jesus Christ is founded in the law of love of God, and needs no human power to support or enforce it. Love cannot be forced.
4. We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights and to rule in civil things, and that in this realm it is entitled to the respectful obedience of all.
5. We believe it is the right, and should be the privilege, of every individual to worship or not to worship, according to the dictates of his own conscience, provided that in the exercise of this right he respects the equal rights of others.
6. We believe that all religious legislation tends to unite church and state, is subversive of human rights, persecuting in character, and opposed to the best interests of both church and state.
7. We believe, therefore, that it is not within the province of civil government to legislate on religious questions.
8. We believe it to be our duty to use every lawful and honorable means to prevent religious legislation, and oppose all movements tending to unite church and state, that all may enjoy the inestimable blessings of civil and religious liberty.
9. We believe in the inalienable and constitutional right of free speech, free press, peaceable assembly, and petition.
10. We also believe in temperance, and regard the liquor traffic as a curse to society.

For further information regarding the principles of this association, address the Religious Liberty Association, Takoma Park, Washington, D.C. (secretary, C. S. Longacre; associate, H. H. Votaw), or any of the affiliated organizations below:

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**Central States Religious Liberty Association** (affiliated organizations in Kansas, Nebraska, Missouri, Colorado, Wyoming): Office, 4547 Calvert St., College View, Lincoln, Nebr.; Sec., J. F. Piper.

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**Northern Religious Liberty Association** (affiliated organizations in Iowa, Minnesota, North Dakota, and South Dakota): Office 2718 Third Avenue South, Minneapolis, Minn.; Sec., E. H. Oswald.

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**Australasian Religious Liberty Association:** Office, "Mizpah," Wahroonga, New South Wales, Australia; Sec., A. W. Anderson.

**African Religious Liberty Association:** Office, Grove Ave., Claremont, Cape Province, South Africa; Sec., L. L. Moffitt.

**Northern European Religious Liberty Association:** Office, 41 Hazel Gardens, Edgware, Middlesex, England; Sec., W. T. Bartlett.

**Southern Asia Religious Liberty Association:** Office, Box 35, Poona, India; Sec., R. B. Thurber.

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**Philippine Island Religious Liberty Association:** Office, Box 401, Manila, Philippine Islands; Sec., R. R. Sensen.

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A MAGAZINE OF RELIGIOUS FREEDOM

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SECOND QUARTER, 1939



PHOTO BY LOWMDS & EWING

May This Statue Ever Be Symbolic of the Freedom, Both Civil and Religious, That Is the Heritage of Every American



# A Call for Religious Liberty

by **THE HONORABLE JAMES J. DAVIS**

*Senior United States Senator From Pennsylvania*

**T**HE MOST UNIQUE contribution of the United States to the science of government is religious liberty. This includes the right of all citizens to their individual opinions concerning the life of the Spirit. American citizens have a right to their own beliefs in politics, economics, and religion; and this right is basic in the latter because freedom of religion is fundamental to all the freedoms which we enjoy.

Authoritarian states can compel obedience to their man-made decrees, but no power on earth can control the movements of the Almighty in the minds of men. No power can equal the force of truth. No substitute can be found for productive thought. Creative ideas spring up in the minds of men everywhere. No dictator can withhold them. The power of God in the individual mind is superior to that of any earthly government. Our representative institutions of government have their roots in the thoughts and feelings of humble folk, whose minds no imperial decree can reach and whose hearts no bond of servitude can fetter.

## The Power of Great Ideas

The most democratic thing in the world is an idea. To be the cradle of a great thought, is the deepest religious experience a man can have. A dominant idea will choose a humble birthplace for itself, often in the mind of some obscure man or some neglected child, and from that idea will grow the force of a mighty movement which will shake the world and rock the thrones of earthly rulers. Be-

SECOND QUARTER



PHOTO COPYRIGHT BY HARRIS & EWING

United States Senator James J. Davis

fore the power of a great idea, the forces of present-day dictators must tremble. They will give way before the shining light of truth as the blackness of midnight yields to the approach of the rising sun.

The selective power of great ideas is wonderful beyond all human intelligence. Who determined that the wisdom of the ancient world should be deposited in the mind of Aristotle? Who delivered to Moses the ten commandments? Who spoke to John the revelations of the New Jerusalem? Who selected Epictetus, the Greek slave, as the storehouse of Stoic wisdom? Who breathed into the mind of the apostle Paul the truth of the immortal documents in Scripture which bear his name? Who selected Martin Luther as the champion of religious liberty? Who assigned to

John Wesley his place as the founder of Methodism? Who gave to Shakespeare his power in language? Who stood at the shoulder of Bach when he designed his fugues and chorales? Who said that Thomas Jefferson should write the Declaration of Independence? Who chose Henry Ford to develop the automobile? Who called Abraham Lincoln to become the Great Emancipator? Who told Livingstone to dedicate his life to Africa? Who summoned Stanley to search for Livingstone in that Dark Continent? Who is it that speaks to men everywhere today, giving definite instruction to every one who will be quiet, and listen and obey?

America is the first and only place in the world where the idea of equality has been carried out on a

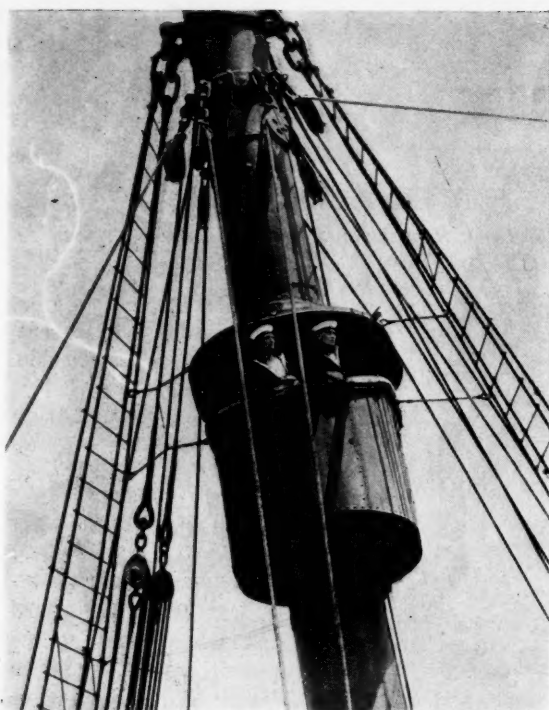


PHOTO BY PHILIP D. GENDREAU, N.Y.

Sailors Aloft Note the First Signs of Danger. Should We Not as Carefully Guard the Ship of State?

large scale, over a long period of time, in every aspect of our common life. This equality of opportunity derives its ultimate sanction from the religious belief that before God all men are valuable beyond any earthly estimate. The American idea of life is essentially this religious belief, that this nation under God is based on an equality of free spirits.

### Equality in American Life

The equality of American life is shown in countless ways. The American idea of government is the equality of the executive head, the legislative assembly, and the coordinate power of free courts. The American idea of religion is the equality of men before their Maker. Every religious group in America is expected to have equal place and opportunity with all others, and this includes Episcopalians, Catholics, Methodists, Jews, Baptists, Seventh-day Adventists—all of us. Superiority complexes of ecclesiasticism have no rightful place in this Republic. The American idea of education is the equality of every boy and girl in the right to an education at public expense. The American idea of science is the equal right of thinkers to the product of their own thinking. A man's contribution to science in free America is expected to be judged, not by its sources, but by its social and human worth. How proud we should be that America is still the

home of free science, a free press, free assembly, freedom of worship, and all the fundamental freedoms which derive their vitality from a free people.

We are proud of this American heritage which is so nobly marked in its religious tradition. It deserves and must be accorded a practical protection. In the United States we have all manner of diverse groups and minority elements. An attack on any one of these brings difficulty to all the rest. If you strike at the Negro, you make a more ready target of the Jew. If you oppress the Jew, you make more emergent an attack on the Catholic. If you hit the Catholic, you place the Baptist or the Methodist in jeopardy, and bring conflict closer to all religious groups. This is true of all sects and denominations, because, essentially, all are minorities. If you injure any one, you injure all of them; and if you undermine religion, you introduce disorder in the realms of economics and government. Soon you find yourself in utter anarchy and confusion. The violation of justice, if permitted in a single instance, can speedily be multiplied in countless cases. In this way the fundamental precepts and practice of justice may be destroyed.

### The Right to Differ

Religious liberty is essentially a problem of unity through diversity. Different religious groups are all the children of one Eternal Father. We should allow room in our minds and hearts for different forms of religious thought and expression. Life should be richer and fuller for us because we have the rainbow of many colors expressed in the life of the Spirit. Any attempt to make diverse religious groups conform to any one pattern of uniformity through force, is a blow at both liberty and essential religion. One conscientious man with God should be counted the equal of any majority which refuses the counsel of the Almighty. For in the end, the truth within that true life will win.

The United States was instituted as a pattern of government under the Constitution whereby the individual citizen and the separate minority could be assured of the right to their own individual identity of life and function. Primarily, this means that in America we have the right to differ from each other and not suffer for it.

We must beware of present-day world trends which seek to substitute military force and government coercion for the individual liberty for which this nation was founded. If we allow the liberties of any single religious minority to be violated, we open the door for a loss of liberties on the part of all of us. In this time of changing world outlook, this is an increasingly grave problem with American citizens.

It must be obvious that while the United States has to date offered religious minorities their strong-

est refuge, we are not exempt from threatened peril of bigotry. No land could become more desperately subjected to the fierce winds of racial and religious hatreds than ours, if we once should lose our fundamental sense of equality and freedom. For we have more sources of racial, religious, and class differences in the United States than has any other country in the world. Hence, freedom of religion and an active cultivation of good will are imperative with us. Especially we should direct our best intelligence to the cultivation of good will toward those with whom we differ. Our national destiny hinges on the constant application of this principle.

### Need of Divine Guidance

Individual liberty is always threatened with the perils of unrestrained license unless it steadfastly is rooted and grounded in obedience to God. As the individual trees of the forest find their sustenance in the common soil of the good earth, so we as individuals should find our common guidance and direction in divine intelligence and good will. The individual who seeks to stand alone, without divine

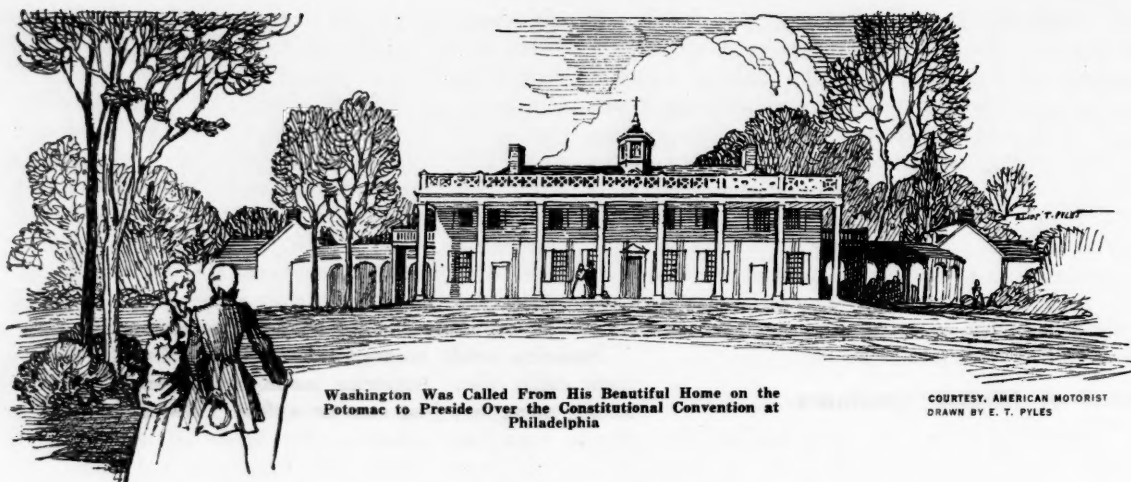
guidance, is the foe of liberty, for he is sure to fail. When he fails, as inevitably will be the case, he brings into disrepute the principle of individual liberty. He makes possible the justification which dictators seek for themselves, because they are tolerated only when individualism run riot has produced the confusion and lawlessness of men disobedient to both God and man. This is the tragedy, the most desperate tragedy, of our modern world. We see all manner of individuals refusing to accept the guidance of either state or church, and at the same time refusing to accept the rule of God within themselves.

America needs strong men who put God first in their daily life. America needs strong men, many strong men, not just one or a few. America needs strong men who accept as the ideals of their lives the patterns of individual initiative and divine guidance which led our American sires as pioneers from ocean to ocean. No one has yet found a substitute for their strength of character and the stout hearts which they brought to the making of America. No sacrifice is too great which will help us conserve our American heritage of courage and faith.



PHOTO BY H. ARMSTRONG ROBERTS

A Free State Is Necessary to the Full Development of the Individual and to the Complete Happiness and Stability of the Home



# The Romance of the Constitution

by **HENRY C. GARDINER**

*Member of the San Diego, California, Bar*

**R**OMANCE IS OFTEN FOUND in unexpected places. The greatest romances are those of the growth of peoples and the rise and fall of empires. Looking backward over the silent nations of history, we realize that there was romance involving every emotion of the human race. And when finis is added to the American name, it will be understood that one of the greatest romances was that of the growth of constitutional government in the United States. . . .

That the Constitution of the United States is a masterpiece of statesmanship, we have the testimony of statesmen like William E. Gladstone, whose words of tribute are familiar to every schoolboy. . . . So in discussing this great instrument, we are instinctively interested in the lives, persons, and romances of the men who, on September 17, 1787, at Philadelphia, after four months of labor, signed on behalf of the people of twelve sovereign States the Constitution of the United States.

## Members of the Constitutional Convention

First, there was Washington, of Virginia, unanimously elected President of the Convention. From Virginia came also James Madison, afterward fourth

President of the United States; Madison, to whom we owe practically all that is known of the daily proceedings and debates of the Convention. From New York came Alexander Hamilton, a youth still in his twenties, whose romantic birth on the little island of Nevis, and whose martyred death at the hand of Aaron Burr, have endeared him to all Americans; Hamilton, the great first Secretary of the Treasury, the secretary to Washington during the Revolution, and one of the two men whom Washington really loved.

Some of the delegates had been members of the Stamp Act Convention in 1765, some were signers of the Declaration of Independence, and others had served in the Continental Congress and some in the Congress of the Confederation. There was Elbridge Gerry, of Massachusetts, who became the fifth Vice-President, and John Rutledge and Oliver Ellsworth, who became Chief Justices under the Constitution they met to form. There was Robert Morris, the financial angel of the Revolution, who, to the shame of our Government, was afterward permitted to lie for [three] years in jail for debt; William Johnson, of Connecticut, distinguished for his learning, a doctor of laws of Oxford University, and a member of the Royal Society; Roger Sherman, the learned



blacksmith from the same State; John Langdon, of New Hampshire, who, as president of the Senate, a few months later notified Washington of his election as President; Nicholas Gilman, of the same State, a boy of twenty-five, the youngest member of the Convention. From New Jersey came William Livingston, eleven times governor of his State, and William Patterson, ten times its attorney general.

The greatest number of able men came from Pennsylvania. First, there was Benjamin Franklin, then the two Morris, Robert and Gouverneur; General Mifflin of distinguished military service, who received Washington's resignation as Commander in Chief; James Wilson, a Scotsman, probably the most learned and scholarly man in America; Jared Ingersoll, the leader of the Philadelphia bar. . . .

### **The Fame of Benjamin Franklin**

But the fame of the total number of fifty-five delegates was easily eclipsed by that of Benjamin Franklin, the oldest member, distinguished for his accomplishments in two continents; Franklin, the sage, statesman, and philosopher, known throughout Europe and in every learned society long before the Declaration of Independence. A master of arts of Yale and Cambridge, a doctor of laws of Oxford and Edinburgh, a member of learned societies in England, France, and Spain, he was great and famous before Alexander Hamilton, or James Madison, or Edmund Randolph was born. He had stood before kings and parliaments and had been admitted to the courts of four European powers. He spoke several foreign languages. . . .

Washington was seldom heard on the floor of the Convention, indeed, never until the last day, but he was a dignified and competent presiding officer. . . .

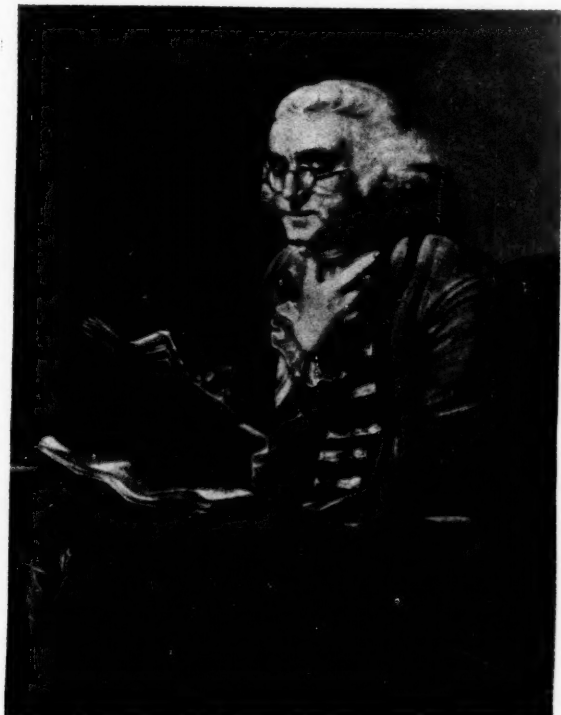
While these fifty-five men were of different walks and occupations, and some like Franklin had risen from humble birth, they were all men of substance, able to pay their own expenses and be absent from their business for a period of months. They were all gentlemen, as that word was understood in that period. There was not an agitator, or a demagogue, or a place seeker among them. They represented the different conflicting interests of States previously bound together by the common danger of war, now separated and dissevered by the common selfishness of peace.

The Confederation was an acknowledged failure. The war had left the country ruined. Agriculture was in decay. Farms were left uncultivated. . . . Money was a curiosity. Commerce was destroyed by foreign tribute and by exactions which each State

levied upon that of the others. . . . American goods could enter English ports only in English ships. And if one State in retaliation closed its ports to English ships, another State held out every inducement to enter. Connecticut and New Jersey excluded goods by heavy duties, while New York admitted them almost free. Massachusetts encouraged trade, while South Carolina and Virginia restricted it. . . . Each State was as a foreign country each to the other, but without the usual treaties or trade agreements of nations. The foot was saying to the hand, "I have no need of thee." The hand was saying to the eye, "I have no need of thee." The eye was saying to the ear, "I have no need of thee." . . .

### **Framing the Constitution**

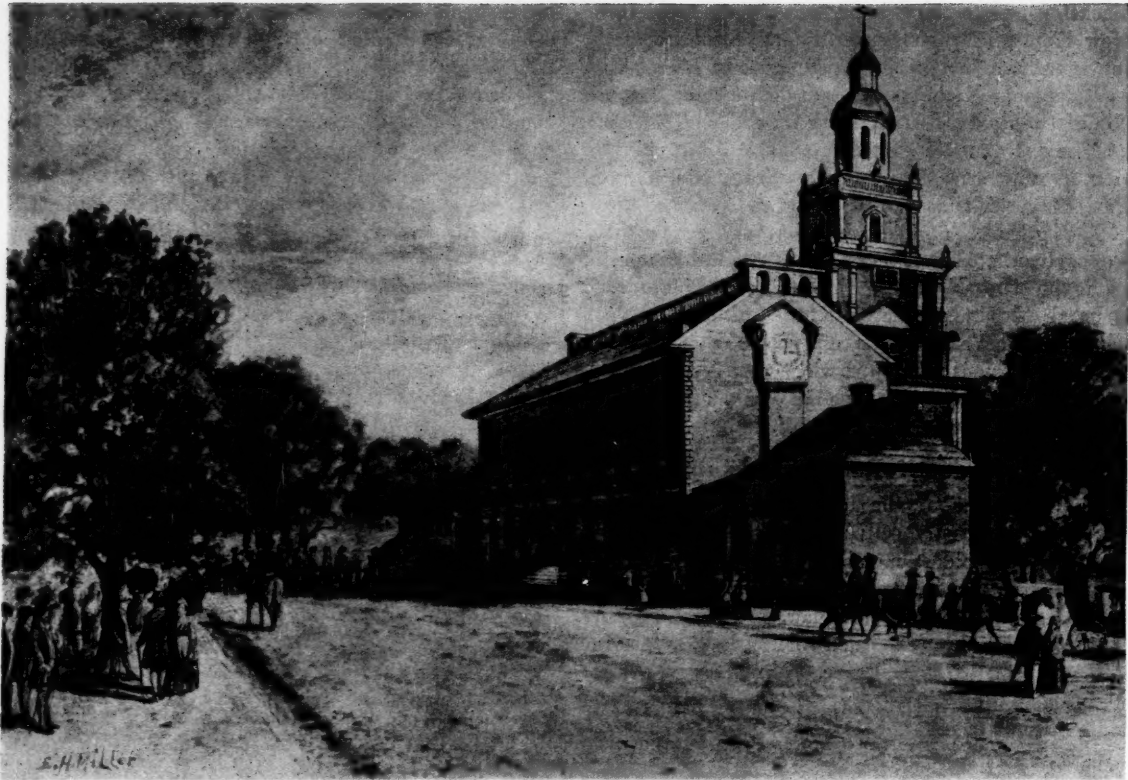
But the men who drew the Constitution were learned in history, and they knew the failures and successes of past governments. They knew what had been accomplished in England in wresting rights and liberties from unwilling parliaments and kings. And they all had the inheritance of representative government. . . . Gladstone was in error when he referred to the Constitution as the modern Minerva springing full armed from the brain of the Convention of 1787, for it is a fact that practically every feature of that instrument was in force in some one or more States when the delegates met in convention. And it is



PAINTED BY DAVID MARTIN

The Wisdom and Statesmanship of Benjamin Franklin Was a Profound Influence at the Constitutional Convention

SECOND QUARTER



FROM AN OLD PRINT AFTER A PAINTING BY E. H. MILLER

Old Independence Hall, in Philadelphia, as It Appeared in the Early Days of the Republic. This Building Has Undergone Alterations and Changes Through the Years. Today, in Its Restored State, It Is One of the Nation's Most Important Patriotic Shrines. Here Those Principles of Liberty That Have Made Our Nation Great Were Formulated and Reaffirmed

with peculiar pertinency that these men are so often called "framers," for the structure they erected was ready-cut, awaiting only the selection and putting together. . . .

On the last day, when the engrossed Constitution was read, Franklin made a characteristic speech in which in his homely way he urged the members to sign, to forget their differences and to doubt a little of their own infallibility, and expressed his astonishment to find the system approaching as near perfection as it did. . . .

Our Government stands out unique and different from any government on which the sun ever shone. It is a government of law and not of men. . . .

There have been many attempts by various comparisons to illustrate the functions of the different departments of our Government. To me the old figure of the ship is the best of all. A ship must have a crew, a captain, and a pilot. Without a crew the ship could not be worked; without a captain the crew would have no head or leadership; and without a pilot the course of the ship could not be directed.



SKETCH BY RUSSELL HARLAN

The captain of the ship of state is the President, or executive; the crew is Congress, or the legislative branch; and the pilot, with the Constitution as its compass, is the Supreme Court, directing the true course of the ship, without whose guiding hand it would soon be upon the rocks.

# The World Rushes On!

**Whither Are We Bound?**

**by THE HONORABLE GEORGE A. WILLIAMS**

**M**EN ARE INCLINED to boast of the rapidly changing order of things. We are living in a new world. The old order is passing, they say, and we are entering a new social order. Off with the old, on with the new, is the rallying cry. Let's have done with the old horse-and-buggy days, and enter into the more abundant life. Thus lightly do men urge the discard of long tried and proved principles of society and government to make room for the isms and doctrines of ancient times, which are presented to the world in a new dress and clothed with brilliant colors and alluring phrases.

It cannot honestly be denied that rapid and meaningful changes are the order of the day, changes that have to do with the peace and well-being of peoples and governments; and many sober-minded, thoughtful men and women are asking if it is not the part of wisdom to pause and inquire the place and the nature of our destination. Where are we going in such a hurry, and what will be our landing? We have been eyewitnesses in the last few years of nations' repudiating the fundamentals of their government and taking an entirely different course which leads them to an entirely different destination. If we of the United States are to follow their course after we have completed the "new social order" and have "made America over," where do we propose to land, and what is our final destiny?

## A New Order of Society

While the history of nations is replete with changes, it is equally true that great reformatory changes come slowly, and especially so if the change is of any considerable value. Nations and peoples are slow to accept reforms that materially affect the fundamentals of society or of government. For centuries mankind has held to about the same ideas,



This Cartoon by Fitzpatrick, Printed in the St. Louis "Post-Dispatch" Some Time Ago, Under the Title, "Destination Unknown," Illustrates the Uncertainty of World Thinking Today

the same customs, and the same religions. It has taken nearly six thousand years for the bulk of civilization to reach common ground in the matter of civil and religious liberty. Though all through the ages it has been a live issue which has resulted in untold suffering and bloodshed, yet not until the eighteenth century had a nation given full recognition to the fundamental doctrine of both civil and religious liberty. Nations and governments had from time to time given partial recognition to these rights, but never until the adoption of the Constitution of the United States in 1787 were full and complete guaranties of the inherent right of mankind to both civil and re-

ligious liberty incorporated in the fundamental law of any land. In the adoption of the divine principle of equal liberty and freedom to all men, the United States made itself a spectacle unto all the nations of earth.

Witnessing the beneficent results of the exercise of these rights, other nations have, from time to time, adopted, either in part or in whole, the same principles. Of recent years, however, forces have been at work throughout the entire world in an effort to destroy the liberty of the individual and to establish what they term "a new order of society." It is a matter of common knowledge that these forces have succeeded in wrecking the established governments of a number of the major nations of the Old World, and in every instance this "new order of society" has deprived the people of every semblance of liberty. Dictatorial governments have been set up, and without exception human rights have gone out the window, leaving the people with no voice in the government, no exercise of religion, and no rights that any one is bound to respect.



## Subtle Forces at Work

The forces that have been at work in the Old World and that have wrought such havoc to the civil and religious rights of the people, are the same forces which are at work in America today. They express the same hatred for the old order of things and the same promises of a better day when the new social order is set up; and the people have a right to ask if we in America may expect the same results here as have accrued to the people in those lands in which these isms hold sway. There is and can be but one answer.

These forces work with a zeal worthy of a better cause. Their agents are busy in all the walks of life. In government circles their hand is seen in attacks on the Constitution and the Supreme Court, the two greatest civil institutions known to mankind. Should the efforts to make impotent and useless these two American institutions be successful, then the most sacred rights of civil and religious liberty established by the Constitution and safeguarded by the Supreme Court are lost.

The sit-down strike is another incident in the attempt to "make America over," and it constitutes a direct blow at the constitutional right of a citizen to own and control property. If such procedure

were permitted, then any man, or set of men, could seize the property of one against whom he had a real or fancied grievance and hold said property until the owner came to terms. During the last six years there have been more strikes, more labor disturbances, by far, than ever were known before, and most of them were fostered by these same forces. And this at a time when labor is receiving the highest wage for the shortest hours under the best working conditions ever known.

During these same six years freedom of speech and freedom of the press are almost continuously on the defensive. The higher courts are cluttered with appeals for redress or for protection from the forces of evil seemingly bent on the destruction of the rights of the people. Congressional dockets are loaded with bills and constitutional amendments, more than a hundred of which are calculated to deprive the people of constitutional rights and privileges. So bold and flagrant are these violations of the most sacred of American institutions, that protests are daily heard from State and national patriotic societies, bar associations, chambers of commerce, and other groups of liberty-loving citizens. On a recent Sunday morning a number of the ministers in the larger churches in Los Angeles in their sermons made startling statements regarding the dangers threatening freedom of religion and of expression.

## A Striking Appeal

The Los Angeles Times, in its issue of January 31, contributed a full-page appeal in behalf of American institutions. As seen in the accompanying reproduction, this appeal stated: "Can you imagine churches in this country—your church—being closed and destroyed? Can you picture churchgoers—yes, you and your family—being brutally assailed at home and on the street, not only by nonreligious citizens, but by the police and military units? Right now it would appear that such a barbaric situation would never be tolerated here. Yet, sad to relate, there is a malicious and deliberate effort on the part of a seemingly far-removed mass of persecutors to inoculate America—this land of religious freedom—with the venom of intolerance. Tolerance has been the lifeblood of this country. Let us resist any attack upon it . . . now and for all time!"

An organization for the preservation of American liberties now being promoted by a United States Senator hopes soon to have five million members. The American Bar Association recently made a strong showing in defense of constitutional freedom. The New York State Bar Association's committee on American citizenship in its report set out the dangers that threaten our liberties by the activities of disloyal organizations within our borders. Former President



*-and may God keep us tolerant*

Can you imagine churches in this country—your church—being closed and destroyed?

Can you picture churchgoers—yes, you and your family—being brutally assailed at home and on the street, not only by non-religious citizens, but by the police and military units?

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Published by the Los Angeles Times as a reminder that freedom to worship, freedom of speech, and freedom of the press are the great principles upon which our country was founded.

Facsimile of the Full-Page Appeal Against Intolerance Which Appeared in the Los Angeles "Times"



Hoover in his most recent address before the Council on Foreign Relations said: "Our job of defense against those un-American ideologies is to eliminate communist, socialist, and fascist ideas and persons from our own institutions. It is to maintain the ideals of freemen, which make this unprofitable soil for such alien seed. Our first purpose is to maintain liberty in America. If civilization based on liberty fails in the United States, it is gone from the earth. We must safeguard that, not only in our own interest, but in the interest of the world."

### **Defending Sacred Rights**

Robert G. Simmons, chief justice of the supreme court of Nebraska, shortly before his election to that office said: "The Constitution establishes the principle that government is a lesser power than the people's. Every attack upon the constitutional system is an effort to put in the Government more power over the people. There is not now any visible move to strike at religious freedom, but an attack upon religion has followed in every country in the world where an attack has been made on free government."

A multitude of voices are now being raised the country over in defense of those basic rights set out in the Constitution, rights the exercise of which have

contributed more to the growth, development, and real prosperity and happiness of the people than has any other factor. The loss of these rights will just as surely contribute to the destruction of national greatness and to the loss of individual happiness and prosperity which we have built up through the years. That these dangers threatening our liberties are real and imminent cannot be denied, for they are unmistakably plain to any intelligent person who keeps in touch with current events in our land. He who makes light of or defends the untoward happenings in our land today that have to do with the fundamentals of government, is not a friend of free government.

The time has fully come for another declaration by the American people, not a Declaration of Independence, but a declaration of loyalty and devotion to the principles of freedom and of a free government, a declaration of unswerving allegiance to the principles of liberty and human rights. The time has come to ring again the Liberty Bell upon which is inscribed the immortal words, "Proclaim liberty throughout all the land unto all the inhabitants thereof." And may the sound of this declaration, as did the former, reach to earth's remotest bounds!

# **The Golden Age of a Glorious Republic**

**by JOHN FRANKLIN BLUNT**

**A**MERICA, THIS LAND OF LIBERTY, ordained of God to become a refuge for the oppressed of other lands, soon became the admiration of the world. To it all eyes were directed. Since the day when Israel rejected a theocracy, and demanded a king, like the heathen nations all around, no system of national administration had been set up comparable to that of the United States of America. The people of foreign lands were amazed. It seemed almost inconceivable that civil and religious liberty could be made the foundation of any strong nation.

### **A New Land and a New Day**

The Declaration of Independence went forth, its reverberations being heard throughout the world, like the sounding of the ram's horn announcing the year of jubilee. The people of earth, so long ground down

beneath the heel of political autoeracy, and confronted by an ecclesiastical power that was engaged in relentless cruelties, saw before them in the New World an avenue of escape from the merciless tyranny of both church and state. They recognized in it the manifest interposition of God.

One after another the great empires of the world had extended their sway over the face of the civilized earth. Jerusalem had been trodden by the heathen hordes, its people carried into captivity, like that in Egypt from which they had escaped. After the restoration, and the coming of the Messiah, even the Holy Land had fallen into the hands of the Mohammedans, and Islam reigned supreme over immense areas. The rise of the Papacy had resulted in the tortures of the Inquisition, from which the great Reformation of the sixteenth century had brought only partial relief.

Meantime, the discovery of America gave great hope. It had been said by inspiration, that the people of God should be strong, and that they that should understand should instruct many. This prophetic utterance had been verified in the work of the Reformers, of whom, however, the prophet had said that some should fall by the sword, and others by flame, by captivity, and by spoil for many days. "Now when they shall fall," declared the prophet, "they shall be holpen with a little help." It was seen that God had not forgotten His word. The promised relief had been foreshadowed by the discovery of the New World, and with the setting up of the Republic in whose fundamental law the God-given rights of mankind were recognized and guaranteed, the instrument by which such aid was to come was plainly revealed.

Nevertheless, as portrayed in the Scriptures, America was not to become a veritable Utopia, in either a political or an ecclesiastical sense. The great controversy between true godliness and heathenism was to continue until the end of time. While the race is left on earth, the struggle is to continue, and ultimate relief will come only when the kingdom of God, for which we pray, is set up in the power of His might.

It is significant, in passing, to note that as the Inquisition reached its climax in the atrocities of Torquemada in Spain, it was there that Columbus secured from Queen Isabella, the consort of King Ferdinand, the aid that enabled him to embark upon the expedition that resulted in the discovery of the New World. From that place, where two thousand victims of the Inquisition were burned at the stake as heretics, was forthcoming, in the providence of God, the financial support required to bring deliverance to many. The language of the psalmist is suggested, "Surely the wrath of man shall praise Thee: the remainder of wrath shalt Thou restrain." Ps. 76:10.

America has served a useful purpose. The Pilgrim Fathers came, seeking a place where they could worship God according to the dictates of their own conscience. Others came to profit from the greater and more abundant opportunities for business and employment. With such accessions of population came problems that at times have been difficult to solve. The necessity for the adoption of a constitution that should forever safeguard the liberties of the people, was recognized as a preeminent requirement. To the everlasting credit of the nation, there were found in the colonies, statesmen who were pledged to secure and to maintain America's independence as a nation, and whose mental and moral capacity was equal to the task. With due deliberation, the fundamental policies of the patriotic people were so formulated as to make civil and religious liberty a permanent possession to all who should seek and obtain a habitation

here. Positive guaranties were laid down and made operative in the Constitution as finally adopted, which made it impossible for ambitious or designing persons to overthrow the nation once it was fully established in its place in the world.

### Washington's Word of Warning

By the division of authority between the legislative body, the executive department, and the judiciary, it was sought to prevent future dictatorship, and the disruption of the national fabric by rash or selfish policies, such as might be continually advocated by ambitious men. Due warning was given by the Father of His Country, George Washington, against foreign entanglements of any kind. Likewise, especially in his Farewell Address, when taking leave of his countrymen and retiring to private life, he earnestly urged against future partisanship, whereby the people might become divided in their opinions, and disposed to listen to dissenting voices that might be raised. Speaking with the dignity that always characterized his utterances, Mr. Washington said:

"Toward the preservation of your government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts." Thereupon he proceeded to point out in what form such assaults upon the existing order of things were liable to come.

"One method of assault," he said, "may be to effect in the forms of the Constitution alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes upon the credit of mere hypothesis and opinion exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember especially that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable."

In further exemplification of the wisdom with which he always turned his notice to matters under consideration, Mr. Washington said: "It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach



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**Mount Vernon, the Virginia Home of Our First President, as It Appears Today From the Air**

upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments, ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected . . . in the way which the Constitution designates."

In this most magnificent address, the retiring President, who had guided the young Republic with the highest sense of honor, and with the least approach to personal vanity, enjoined fair and square dealing upon all who should have any part in the administration of public affairs. "Observe good faith and justice toward all nations," he said. "Cultivate peace and harmony with all. Religion and morality enjoin

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this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and novel example of a people always guided by an exalted justice and benevolence." The entire address is worthy of careful reading, especially now that other sentiments have come to prevail, and the lowering sense of moral obligation is everywhere apparent in the land.

Surely, there has been a tremendous falling away from the high ideals that distinguished the founders of the Republic in their public utterances and administrative acts. Systems of government adopted abroad have come to vociferous advocacy in America. Formidable groups are calling for changes here. Some want one thing, and some another; but however much they may differ in other matters, there seems to be one point upon which nearly all are in agreement, and that is for the concentration of governmental authority in the hands of a few persons. It would seem that multitudes are ready to sell their heritage of civil and religious liberty for a mess of pottage. Violation of individual liberty is conspicuous almost everywhere. Let us be careful to retain the liberties which we possess, and leave the result to God, through whose bounty we exist.



The State Capitol at Little Rock, Arkansas

# Shall Religious Persecution Be Revived in Arkansas?

by **CHARLES S. LONGACRE**

**L**AST NOVEMBER Lee Huffman, a deacon in a Seventh-day Adventist church, who operates a barbershop in Little Rock, Arkansas, was arrested and indicted and bound over for trial before the circuit criminal court for barbering on Sunday. Mr. Huffman closed his barbershop at sunset every Friday evening and did not open it again till sunset Saturday evening, but he has operated it on the other six days of the week for the last seven years without being molested.

The case was called for trial before Judge Fulk of the circuit criminal court of Pulaski County on January 23, 1939. State's Attorneys Bogard and Pace argued the case for the State, and Attorneys Patten and Simmons argued the case for the defendant.

## Exemption in Sunday Law

The State of Arkansas has an exemption clause to the Sunday laws for the protection of those who observe another day than Sunday as holy time. The defendant relied upon this exception for his defense. This exception is:

"No person who from religious beliefs keeps any other day than the first day of the week as the Sabbath shall be required to observe the first day of the week, usually called the Christian sabbath, and shall not be liable to the penalties enacted against Sabbathbreaking; Provided, no store or saloon shall be kept open or business carried on there on the Christian sabbath; and provided further, no person so observing any other day shall disturb any religious congregation by his avocations or employments."

**LIBERTY, 1939**



During the trial, the State attempted to convict the barber for violating Section 3421, which prohibits a store being open on Sunday, but the court ruled that a barbershop was not a store, and refused to convict under the charge of keeping a store open on Sunday. The defendant was exonerated and the case dismissed during the forenoon session of the court.

Judge Fulk, in giving a lengthy decision, intimated that if the State had indicted the barber under another section of the Sunday law, which prohibits doing commercial business on Sunday, his verdict would have been different.

So in the afternoon the barber was notified by the State's attorney that he would be reindicted for the same offense and retried that afternoon. Believing they were joking with him, he did not put in his appearance. Nevertheless, he was retried and convicted. The defendant believes that the Honorable Trial Judge in his decision does not give him the full religious liberty under the exemption according to the legislative intent. In the forenoon the judge said:

"This defendant clearly comes within the exception, but what does the exception mean?"

The judge ruled "that the Sunday-closing law is a police regulation, a legitimate exercise of the police power of the State, and not a religious consideration."

The judge further ruled in the afternoon that the exception would allow Mr. Huffman to shave his own face, but he could not shave the face of any one else for hire, as that would be doing commercial business and make him a Sabbathbreaker, notwithstanding that the exception expressly states that those who observe another day than the first day of the week as the Sabbath, shall not be required to observe the first day, and shall not be liable to the penalties enacted against Sabbathbreaking. The defendant was assessed both a fine and costs, but he at once appealed to the supreme court of Arkansas for validation of the exemption clause enacted in his favor and for his protection.

What was the legislative intent of that exception?

### History of Arkansas Law Exemption

Senator Robert H. Crockett, a grandson of the famous David Crockett of Southwestern fame, introduced the exception into the Arkansas Legislature in 1887 for the "religious protection" of Sabbatarians who previously were being persecuted under the Sunday laws for working on Sunday after they had observed the seventh day of the week as the Sabbath. Up until 1885 the Sunday laws of Arkansas had an exception for Sabbatarians and there was no religious persecution in the State for over fifty years. All citizens enjoyed the equal protection of the laws

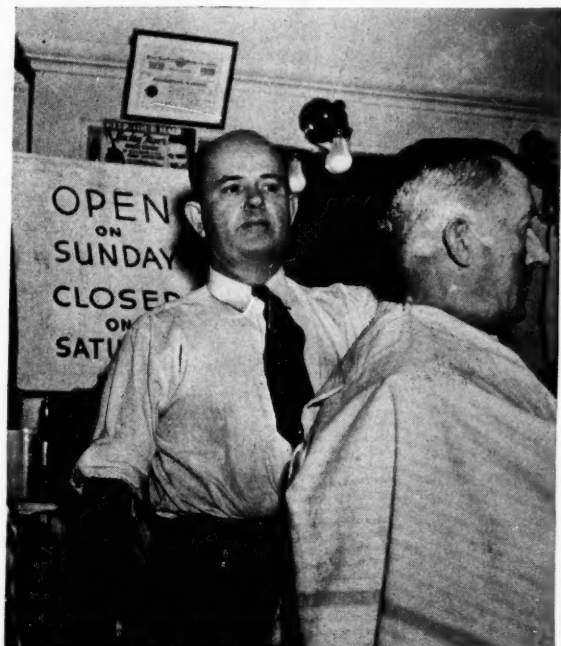
before the bar of justice irrespective of their diverse religious persuasions. But in 1885 this exception was repealed by the legislature and immediately Sabbatarians were thrown into prison by the score, and some even suffered martyrdom.

Senator Crockett said:

"It was hasty and ill-advised legislation, and like all such, has been only productive of oppressive persecution upon many of our best citizens, and of shame to the fair fame of our young and glorious State. Wrong in conception, it has proved infamous in execution; and under it such ill deeds and foul oppressions have been perpetrated upon an inoffensive class of free American citizens in Arkansas, for conscience' sake, as should mantle the cheek of every lover of his State and country with indignant shame."

Senator Crockett mentioned scores of cases where Seventh-day Adventists and Seventh Day Baptists had been fined and imprisoned for no other crime than resting on the seventh day of the week and working on the other six days as God had commanded them to do. He told how they had settled in the early days in Arkansas while it was yet a wilderness filled with the howl of the wolf, the scream of the panther, and the wail of the wildcat. They soon changed the wilderness, the prairies, and the valleys into a veritable paradise.

"These people are, many of them," said he, "Seventh-day Adventists and Seventh Day Baptists. They are people who religiously and conscientiously keep Saturday, the seventh day, as the Sabbath in



The Barbershop of Mr. Lee Huffman, in Little Rock, Arkansas

accordance with the fourth commandment. They find no authority in the Scriptures for keeping Sunday, the first day of the week, nor can any one else. All commentators agree that Saturday is and was the Scriptural Sabbath, and that the keeping of Sunday, the first day of the week, as the Sabbath, is of human origin and not by divine injunction. The Catholic writers and all theologians agree in this.

"These people understand the decalogue to be fully as binding upon them today as when handed down amid the thunders of Sinai. They do not feel at liberty to abstain from their usual avocations, because they read the commandment, 'Six days shalt thou labor,' as mandatory, and they believe that they have no more right to abstain from labor on the first day of the week than they have to neglect the observance of Saturday as their Sabbath. They agree with their Christian brethren of other denominations in all essential points of doctrine, the one great difference being upon the day to be kept as the Sabbath. . . . Sir, under the existing law, there have been in

Arkansas, within the last two years, three times as many cases of persecution for conscience' sake as there have been in all the other States combined since the adoption of our national Constitution."

### Results of Religious Persecution

After relating several concrete cases where Seventh-day Adventists suffered the most heartless persecution, he related the case of a young married couple who came from the State of Ohio to make their home in Arkansas—"to them the land of promise." He tells in a graphic and touching manner the tragedy of their persecution. He tells of how "the light of love sparkled in her [the wife's] bright, young eyes. The roses of health were upon her cheeks, and her silvery laugh was sweet music, of which her young husband never wearied. They purchased a little farm, and soon, by tireless industry and frugal thrift, their home blossomed like a rose in the wilderness. After a while a fair young babe came to them to brighten the sunshine and sweeten the bird songs. They were happy in each other's affection and their love for the little one. For them 'all things worked together for good;' for, in their humble, trusting way, they worshiped God and loved their fellow men.

"Two years ago the law under which their prosperity and happiness had had its growth was repealed! Accursed be the day which brought such a foul blot upon our State's fair fame! A change, sudden, cold, and blasting as an arctic storm, came over their lives, and pitilessly withered all their bright flowers of hope. Under this repeal, persecution lifted its ugly, venomous head. The hero of my sad story was observed by an envious, jealous neighbor, quietly working, as he believed God had commanded him, on Sunday. He was reported to that inquisitorial relic of barbarism, the grand jury—indicted, tried, convicted, and thrown into jail because his conscience would not let him pay the fine. Week after week dragged its slow length along. Day after day the young wife, with baby in her arms, watched at the gate for his coming, and, like Tennyson's Marianna—

"She only said, 'My life is dreary,  
He cometh not,' she said;  
She said, 'I am aweary, aweary,  
I would that I were dead!'"

### Death Enters the Home

"Then baby sickened and died; the light in the young wife's eyes faded out in tears; her silvery laugh changed to low, wailing sobs. Pale-faced Misery snatched the roses from her cheeks, and planted in their stead her own pallid hue. Sir, how can I go on? At length the cruel law was appeased and this inoffensive citizen (except that he had loved

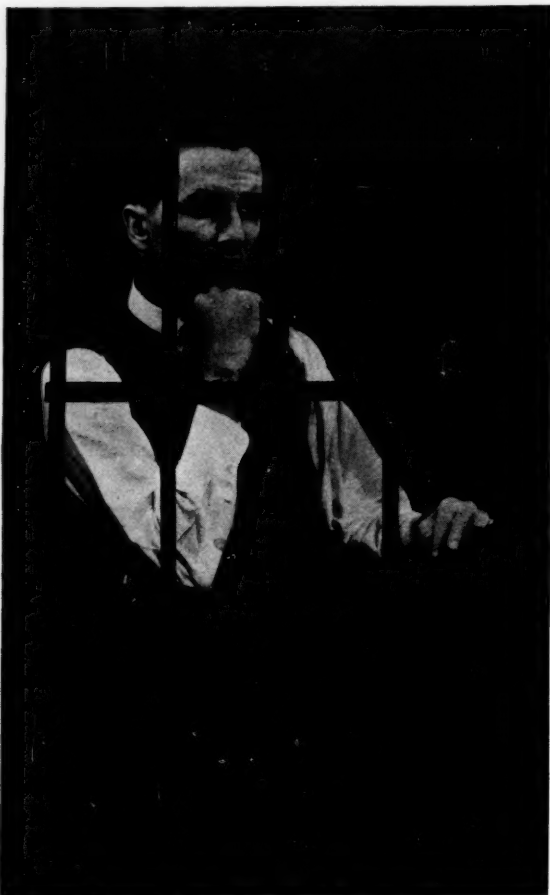


PHOTO BY H. M. LAMBERT. ADAPTED

Are Loyal Citizens Today to Be Placed Behind Prison Bars for Conscience' Sake?



PHOTO BY H. A. ROBERTS

The Cruel Hand of Persecution Should Never Again Be Allowed to Touch Our Homes and Cause Mothers and Children to Suffer

God and sought to obey Him) was released from prison and dragged his weary feet to the happy home he had left a few short weeks before. He met his neighbors at the gate, bearing a coffin. He asked no question; his heart told him all. No, not all! He knew not—he never could know—of her lonely hours, of her bitter tears, of the weary watching and waiting, of the appeals to God, that God for whom she had suffered so much, for help in the hour of her extremity, of baby's sickness and death. He could not know of these. But he went with them to the quiet country burial place and saw beside the open grave a little mound with dirt freshly heaped upon it, and then he knew that God had taken both his heart's idols and he was left alone. His grief

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was too deep for tears. With staring eyes he saw them lower the body of his young wife into the grave. He heard the clods rattle upon the coffin, and it seemed as if they were falling upon his heart. The work was done, and they left him with his dead. Then he threw himself down between the graves with an arm across each little mound, and the tears came in torrents and kept his heart from breaking. He sobbed his broken farewell to his darlings, and left Arkansas forever—left it, sir, as hundreds of others are preparing to leave if this general assembly fails to restore to them the protection of their rights under the constitution, national and State.

"On next Monday, at Malvern, six as honest, good, and virtuous citizens as live in Arkansas are to be tried as criminals for daring to worship God in accordance with the dictates of their own consciences, for exercising a right which this Government, under the Constitution, has no power to abridge.

"Sir, I plead, in the name of justice, in the name of our republican institutions, in the name of these inoffensive, God-fearing, God-serving people, our fellow citizens, and last, sir, in the name of Arkansas, I plead that this bill may pass, and this one foul blot be wiped from the escutcheon of our glorious commonwealth."

At the close of his speech, a vote was taken, and to the credit of the legislature and the honor of the State, the Sunday law, with its accompanying horrors, was so changed as to prevent a recurrence of such persecutions by the adoption of the present exemption clause for the protection of Sabbatarians. It was the intent of the Arkansas Legislature to grant religious liberty to those who observe another day than Sunday

as the Sabbath, and no longer subject them "to the penalties enacted against Sabbathbreakers."

### **Will This Be Repeated?**

The question has arisen again, Shall these former persecutions be repeated in Arkansas? Shall the decision of the circuit criminal court rendered on the afternoon of January 23 be allowed to stand in the Huffman case, nullifying the protection of the

exemption clause in his favor? The supreme court of the State is now called upon to decide that issue.

The next day after this adverse decision was handed down by Judge Fulk in the circuit criminal court, a bill was introduced into the Arkansas Legislature looking toward the repeal of the fifty-four-year-old Sunday law. This bill, however, granted cities and counties the power to enact such Sunday legislation as they desire, which makes the situation even more precarious for religious liberty.

## **Sunday Laws for Public Health Declared Unconstitutional**

**by W. M. ADAMS**

**T**HERE IS A CONTINUAL AGITATION by certain elements of society to secure the enactment and enforcement of rigid Sunday laws. Such legislation would take away the freedom of American citizens.

Sunday laws have the smack of religious legislation which is repulsive to every liberty-loving citizen. Such laws cannot be legally enacted on the basis of religion. Because Sunday-law advocates well know this, they seek and argue other reasons for such laws.

### **Are Grocery Sunday Laws a Health Problem?**

One of the most-used and persuasive arguments for the enacting of Sunday laws is that they are for the good of the public health. It is agreed by all that the government has a right to legislate for the protection of the health of its citizens. Any city, county, town, or township may adopt and enforce laws having for their object the protection and preservation of the public health.

In many places, zealous advocates of Sunday sacredness who believe that the first day of the week should be protected from profanation through the aid of the civil authorities, have sought to unite Sunday laws with health measures. The argument for such a union is specious, and many good folk have been misled by it.

A recent California case decided by the supreme court of that commonwealth, shows the extreme lengths to which Sunday-law advocates go, the fallacy of their arguments, and the sound reasoning of the court in disposing of the matter in harmony with the tried American principle of the complete separation of religion and the civil power.

### **California Supreme Court Decision Tulare Sunday Law**

About two years ago, the city council of Tulare enacted a Sunday-closing ordinance to govern stores, markets, and other places dealing in foodstuffs. Section 2 of this law declared that—

"The public health, convenience, and general welfare of the people of the city of Tulare require that markets, establishments, stores, and places of business dealing in, distributing, offering for sale, selling, or in any manner handling food of any kind and of every kind intended for human consumption, be regulated."

It was claimed that the ordinance was an "emergency measure" designed to protect the public health. The council proposed to regulate business by closing all food stores on "any holiday or on any Sunday."

It will be especially noted that the said Sunday law was alleged to be a health measure, an "emergency measure," "designed to protect the public health."

Section 7 of the ordinance provided that—

"It shall be unlawful for any person, firm, association or corporation, maintaining, or that may hereafter maintain, a place of business, store or establishment in the city of Tulare, engaging in the business of selling, offering for sale, distributing, or in any way or manner disposing of any uncured or uncooked meats or other foods of any kind intended for human consumption, . . . on any holiday or on any Sunday, or between the hours of 9 o'clock P.M., on every Saturday and 7 o'clock A.M., on every Monday."

Section 8 exempted thus:

"This ordinance shall not apply to persons, firms, associations, or corporations, engaged in operating



bona fide hotels, boarding houses, lodging houses, restaurants, drugstores, confectionery stores, dispensers of beverages, distributors of milk and cream."

There was strong opposition to this Sunday law, and it was tested in the superior court of Tulare County, the judge declaring it to be constitutional. Being carried to the district court of appeal, fourth district, the judgment of the superior court was affirmed. Then it was appealed to the supreme court of the State. Among other things, the opinion of this high tribunal set forth the following:

"Manifestly, so far as the serving of food to their patrons is concerned, these excepted establishments are permitted, without restriction, to distribute and deal in the very products which the ordinance prohibits grocery stores from handling in any manner, during the fixed periods, thus arbitrarily imposing burdensome conditions upon a selected class of merchants."

It is "manifestly" class legislation, favoring one class to the exclusion of another. That is characteristic of all Sunday laws. Coming directly to the "public health" issue, the court continues:

"We do not perceive by what process of reasoning the conclusion is reached that restaurants, confectioneries, dispensers of beverages, and other excepted businesses dealing in food for human consumption, should be free from inspection on nights, Sundays, and holidays, while grocery stores, in the interest of health, require such inspection. Can it be said that food products are more dangerous to health when sold in a grocery store than when sold, for example, in a restaurant or confectionery store? From the standpoint of health, what distinction is there between selling food to customers on the premises and selling it to customers to be taken to their homes? Or, why should a bottle of milk left on a doorstep by a dairy delivery company be deemed more sanitary or less subject to contaminating influences than a similar bottle sold over the counter of a grocery store?"

The reasoning is logical and convincing. Continuing, the court had this to say:

"Sections 7 and 8 are based upon an arbitrary classification and constitute an unwarranted and unreasonable interference with the carrying on of a lawful business, and are therefore violative of the Federal and State constitutions. . . .

"The judgment is reversed, with directions to trial court to overrule the demurrer and permit the defendants to answer, if they be so advised."—*Justensen's Food Stores, Inc., vs. City of Tulare et al.* . . . L. A. No. 16060. See *California Decisions*, Vol. 96, No. 4731, Nov. 24, 1938.

The Tulare Sunday law, closing all food stores, is a violation of the Federal and California constitutions. It is, therefore, unconstitutional. All other

similar laws in the State of California are also affected adversely by the decision.

### California City and County Health Departments

It would seem that if a Sunday law which closes grocery stores, meat markets, etc., is vital to "public health," the health departments would be the first to see such need and be foremost in sponsoring such legislation.

This writer, being anxious to know whether the health departments in the State of California were really the agitators for the Tulare and similar ordinances, wrote to representatives of the health departments all over the State, submitting these two questions:

1. Would you or your department initiate or sponsor a Sunday law prohibiting the sale of uncured or uncooked meats strictly from a *health* standpoint?
2. Do you consider that the sale of uncured or uncooked meat on Sunday is a menace to the *health* of citizens?

Every answer received said "No" to both questions. Not a single affirmative answer came back.

In 1936, in Fresno, California, a Sunday-closing bill for groceries was defended before the city council as a *health* measure. The matter was referred to the health department for advice, which gave this reply:

"Resolved, That after due consideration of the public health situation we find no evidence of health violations that could or would be corrected by a Sunday and holiday closing of grocery and food stores; and,

*Be it further resolved*, That we do not deem the ordinance a health board problem."—*Fresno Bee*, Feb. 26, 1936.

If the health departments do not consider Sunday ordinances *health measures*, whose business it is to know the *health* of the citizens, why should a group here and there persistently insist that they are for the "public health"? The fact is, *such claims are a screen under which to hide the real issue*. Sunday is regarded by many as a religious day upon which many worship; hence, any legislation to enforce recognition of Sunday by *enforced rest* would be religious legislation. That is the serious objection to Sunday-law legislation. It is religious, not health, legislation.

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"GIVE me the liberty to know, to utter, and to argue freely according to conscience, above all liberties."—*John Milton*.

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"HE who will not reason is a bigot; he who cannot is a fool; and he who dares not, is a slave."—*Drummond*.

# Civil Government and Religion

**Not to Be United, but to Run Parallel in Their Spheres of Influence**

**by A. R. BELL**

**C**IVIL GOVERNMENT is ordained of God. The Lord knew that when sin entered into the life of mankind, he would need to be protected from his fellows. God knew that selfishness would rule the human heart. And selfishness covers a multitude of sins. Under the head of selfishness comes almost every evil. It is abomination in the sight of God.

Were it not for the restraint of civil government, men would obtain the possessions of their fellow men by violence, and even life would not be respected. It was for our welfare that civil government was established. Imagine, if you can, what conditions would exist were there no governmental restraint!

The church, too, is ordained of God. When sin came in, the forces of love began to operate in persuading man for the right. Their work is to help men adopt the golden rule for their standard of living. "As ye would that men should do to you, do ye also to them likewise."

The church, in its divine setting, has no other power than that of persuasion, backed by the drawing influence of unfathomable love. And yielding to its influence in this divine setting, men become better citizens of the kingdoms of this world, and are fitted for citizenship in the world to come.

## Both Church and State Ordained of God

In the great purpose and providence of God, civil government and the church are ordained of God to operate in the world along parallel lines for the good of all.

Men in both civil government and the church all down the centuries have been obsessed with the idea that they can cross the threshold of either at will for the good of both. Zeal in its more pronounced expression knows nothing of the bounds of prudence, and outruns discretion.

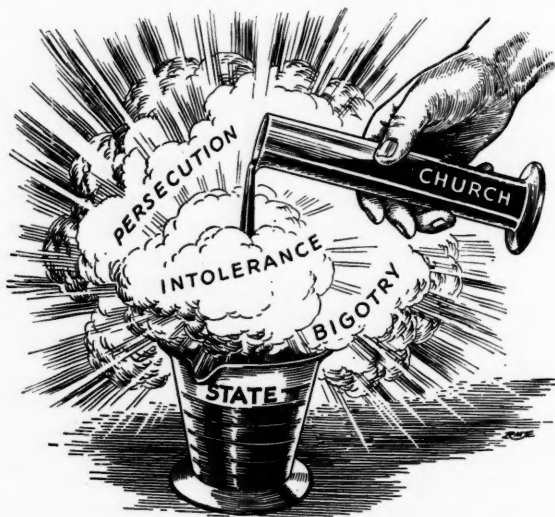
The violation of the true principles of either state or church has ever brought to the one the rule of despotic control, and to the other the shame and disgrace of making flesh its arm—sending its petitions to city councils, legislatures, congresses, and parliaments, instead of to the audience chamber of the King of kings. And this rule of conduct has never failed to produce intolerant, illiberal, and

fanatical persons, who are strangers to the best means for accomplishing a purpose, and who have no regard for others. Selfish to the nth degree, careful for nothing save having their own perverted standards of right as the rule for all, these sum up the total of self-conceit; these are the bigots. And there has never been the equal in cold-blooded heartlessness and deliberate cruelty of the religious bigot.

It was religious bigotry that produced the first murderer, and gave to the cause of religious liberty the first martyr away back at the birth of the world. It was religious bigotry that spiked to the cross of Calvary the Son of the living God, the Saviour of the world. Well has it been said, "The worst of mad men is a saint run mad."

## A Nation Founded on Right Principles

How grateful we of America should be to the men who, in the providence of God, were led to recognize the great fundamental and immortal principles of civil and religious liberty, and who laid them down as the bedrock, immutable, on which to build as no



Religion rests on love, while government rests on force. That's the reason the two do not mix. They are like two chemical elements, which, when brought together in union, cause explosion. Let him who doubts this read history.—Excerpt from an article by the late governor of Virginia, the Honorable John Garland Pollard.

other nation ever built. They handed down to us a government in which the citizens are sovereign; in which all men are equal before the law. They recognized the truth that men are "endowed by their Creator with certain unalienable rights," among which are "life, liberty, and the pursuit of happiness;" and laid down the principle concerning governments that they are ordained to secure to men their inalienable rights, and that they derive "their just powers from the consent of the governed."

We have, under the Stars and Stripes, the enjoyment of civil and religious liberty as men have never known since the beginning of governments among men; and we have this blessed boon, not as the decree of a ruler, nor as the grant of any lawmaking body, but as the free gift of God, under a government dedicated to the preservation of this heaven-born right.

And yet, endowed with these inestimable blessings, which have been the beacon light of freedom to the government and church oppressed of every land, we must ever be on the watch against the encroachment of men who, with a zeal, but not according to knowledge, would again bind upon us the fetters from which our nation's fathers, in the great providence of God, delivered us.

May we each be true to the principles which have made our nation great. May we ever be watchful. Let us "take alarm at the first experiment on our liberties." Let us remember that "the condition upon which God hath given liberty to man is eternal vigilance." Let us not forget that "God grants liberty only to those who love it, and are always ready to guard and defend it." May we recognize the fact that it is still true that "a day, an hour, of virtuous liberty, is worth a whole eternity of bondage."

## **Attempt to Put Teeth Into Canada's Federal Sunday Law Defeated**

### ***Growing Opposition to Religious Legislation Averts Return to Dark Ages***

**by ERIC A. BEAVON**

#### **1938 a Crucial Year**

**S**UNDAY-LAW ADVOCATES in Canada have for many years been working for increased penalties for violations of Canada's federal Sunday law, known as the "Lord's Day Act." Last spring jail terms were openly advocated in the House of Commons. Had the lower house, elected by the people, borne rule alone, thousands of conscientious, law-abiding citizens of Canada, who happen to possess minds of their own and a love for religious liberty principles, would today be languishing in prison cells.

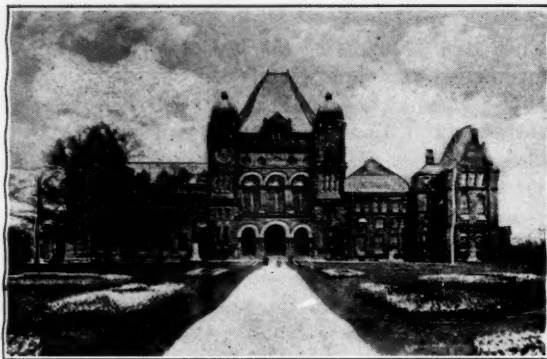
Determined efforts, originating in the province of Quebec, were put forth so to amend Canada's thirty-two-year-old blue law that people in every walk of life would be compelled to observe Sunday, irrespective of whether they were Jews, Sabbathkeeping Christians, or people with no interests at all in popular religion. The Lord's Day Alliance has been working for this for many years. On February 25, 1938, the elected representatives of the Canadian people in the House of Commons, swayed by the smooth oratory of a representative from Champlain, Quebec, pulled practically one hundred per cent

strong for a return to the Dark Ages of priestly intolerance and religious persecution. In the upper house, senators fought with their backs to the wall for protection of Canadians against legislation which, if enforced, would have jailed thousands of worthy citizens.

#### **The Canadian Senate Opposes "Commons"**

The bill as introduced was calculated to put teeth into Canada's obsolete blue law, known as the "Lord's Day Act." By rejecting it, the Canadian senate administered a very necessary rebuke to such organizations as the Lord's Day Alliance and the Quebec Sunday Observance League. Anomalous though it may seem to some, the senators have demonstrated a greater interest in working men and women, and in the principles underlying Christianity and democratic government, than members of the House of Commons and the majority of Canadian churchmen appear to possess. Believers in civil and religious liberty will appreciate the thwarting of the purposes of the Sunday-law advocates.





Parliament Building in Toronto, Canada

A friend of the measure in the senate pointed out that the bill had been given "the unanimous support of the House of Commons," and explained that "its object is to strengthen the application of the 'Lord's Day Act,' which calls for jail terms 'with or without hard labor.' It was further intended to increase fines for 'directors, officers, superintendents, or employees'—any one, in fact, who 'authorized, directed, or permitted' any kind of business to be attended to on Sundays.

The bill was referred to the standing committee on banking and commerce.

Though its provisions were approved by the president of the Quebec Sunday Observance League, who is a prominent professor in McGill University, and though the bishop of Three Rivers deplored the fact that "the law of God" was being "violated with impunity," and asserted that the violations of the "Lord's Day Act" had all but brought "the complete extinction of our people's religious feeling," it failed to pass as was originally proposed.

One senator said that if it became law, "unparalleled harm and injury would result to many workingmen." He asserted that occasions would arise when employees would be "compelled to violate the law and thus . . . render themselves liable to imprisonment."

Canada's senators apparently are less concerned about keeping in the good books of the House of Commons than they are over fulfilling their obligations to Canada and the preserving of the liberties of the Canadian people.

When the Canadian constitution comes up for revision, as it probably will in the not far distant future, Canada's antiquated blue law, which gave rise to the attempt to bring new force to Sunday observance, should be repealed. Religious phraseology should be avoided, including all references to Sunday as "the Lord's day." The designation of holy days should be left to the churches, and the state should content itself with dealing with the nonreligious and civil aspects of the question.

## Views of Eminent Men On Our Cherished Liberties

**P**RESIDENT JOHN QUINCY ADAMS SAID:

"This principle, that a whole nation has a right to do whatever it pleases, cannot in any sense whatever be admitted as true. The eternal and immutable laws of justice and of morality are paramount to all human legislation."—*Congressional Record*, Jan. 12, 1939.

Grover Cleveland said:

"Our people when their sympathies are touched, when their humane instincts are challenged, and when their hatred of oppression is aroused, are not afraid to speak; and in such circumstances it is not their habit to smother or cautiously soften their words."—*Congressional Record*, Jan. 12, 1939.

Thomas Jefferson said: "It is wicked and tyrannical to compel any man to support a religion in which he does not believe."

President Hoover wrote to Michael Williams, editor of the *Commonweal*:

"One of the proudest traditions of our history is the early date at which our nation committed itself unreservedly and permanently to the principle of freedom of conscience. . . . The strong support of the foremost revolutionary patriots, including Washington, Jefferson, Franklin, and many others, was decisive in fixing this principle in our Constitution as the permanent and beneficent policy of our country."—*New York Times*, April 9, 1932.

Lord Southwood said:

"I believe that in the printed word—as long as truth be free—there is a power more potent than guns, more invincible than steel.

"Every man has a right to his own opinion; every man has a right to express his opinion by word of mouth or in print; and it is in the clash of various opinions that truth will prevail. When we become impatient with our democratic method of government, complaining, perhaps, that it moves slowly, let us remember that it does at least preserve man's most precious heritage—freedom."—*British Bible Society Record*, October, 1938.

"Even a popular or democratic majority cannot set aside God's laws in dealing with a minority. When it does, we may discover once more what history has so often shown, that one man with God makes a majority. We need this message today when might, armed aggression, selfish nationalism, and racial and group selfishness are broadcasting their creeds everywhere, and are boasting of their apparent self-sufficiency and success. The ten commandments still stand as God's law for men, although dictators and selfish majorities and minorities claim to ignore them."—*British Bible Society Record*, October, 1938.



# Christ an Example in Sabbath Observance

by D. H. KRESS, M.D.

**R**EMEMBER the Sabbath day, to keep it holy." The Sabbath day is not kept if it is not kept holy. The Sabbath commandment, like every other commandment of the decalogue, has to do, not only with the overt act, but with the thoughts and intents of the heart. It is spiritual. "The carnal mind is enmity against God: for it is not subject to the law of God, neither indeed can be." Only he who has been born of the Spirit is able to keep a spiritual law. To him the Sabbath day is a blessing, and through him it becomes a blessing to the world.

Idleness breeds sin. Enforced idleness is therefore always a curse. Even the Sabbath day would prove to be a curse if its hours were spent in idleness. To compel men to rest on any day of the week is contrary to the spirit of the Sabbath commandment.

As far as the Bible is concerned, there can be no question as to which day of the week is the Sabbath. We are informed that after the crucifixion of Christ, Joseph of Arimathaea, "a good man, and a just," "went unto Pilate, and begged the body of Jesus. And he took it down, and wrapped it in linen, and laid it in a sepulcher that was hewn in stone, wherein never man before was laid. And that day was the preparation [Friday], and the Sabbath drew on. And the women also, which came with Him from Galilee, followed after, and beheld the sepulcher, and how His body was laid. And they returned, and prepared spices and ointments; and rested the Sabbath day according to the commandment. Now upon the first day of the week, very early in the morning, they came unto the sepulcher." Luke 23:51-56; 24:1.

There is no dispute in the world today as to which day is the first day of the week. From this simple narrative it is clear that the day which comes just before

the first day of the week is the seventh day, which is the Sabbath, the rest day according to the commandment.

There was no controversy between Christ and the people of His time as to which day was the Sabbath. The question was wholly as to how the day should be kept. The Jews claimed that the day was set apart for rest from physical toil, but Jesus in His life and by word taught that to do good on the Sabbath day was lawful. As we study His life, we see that apparently



Christ Came, Not to Compel Men to Walk in the Way of Righteousness, but to Leave Them an Example in Right Doing. His Example in Sabbathkeeping Is One That All Should Carefully Study

He did more healing on the Sabbath day than on any other day of the week. His physical activities were certainly not lessened on that day. When the disciples plucked some heads of grain on the Sabbath in order to supply their physical needs while they were ministering to the needy, certain ones said: "Behold, Thy disciples do that which is not lawful to do upon the Sabbath day." Matt. 12:2.

Again we read: "Behold, there was a man which had his hand withered. And they asked Him, saying, Is it lawful to heal on the Sabbath days? that they might accuse Him. And He said unto them, . . . It is lawful to do well on the Sabbath days. Then saith He to the man, Stretch forth thine hand. And he stretched it forth; and it was restored whole, like as the other. Then the Pharisees went out, and held a council against Him, how they might destroy Him." Matt. 12:10-14.

When He healed the man who had been blind from his birth, they said, "This man is not of God, because He keepeth not the Sabbath day." John 9:16.

After healing the man who "had an infirmity thirty and eight years," Jesus said to him, "Rise, take up thy bed, and walk." Some of the people said, "It is the Sabbath day: it is not lawful for thee to carry thy bed." Innocently the man answered them: "He that made me whole, the same said unto me, Take up thy bed, and walk." Jesus said, "My Father worketh hitherto, and I work," showing that in thus healing on the Sabbath day He was in harmony with His Father. Everything in nature shows that God is continually at work, bestowing His blessings upon mankind. Jesus, the only true Sabbathkeeper, was condemned as a Sabbathbreaker. If the Sabbath commandment demands complete physical rest, this condemnation of Christ was just. But Jesus taught by precept and example that the Sabbath is kept holy only as it is employed for holy purposes. The people of that time worshiped the day instead of worshipping God on the day. Had they known what this means, "I will have mercy, and not sacrifice," they "would not have condemned the guiltless." Only those who keep the Sabbath day holy, or in the same manner in which Jesus kept it, can be said to be true Sabbathkeepers. True Sabbath rest is found in service which is appropriate to the day.

All Sunday laws are based on the Jewish conception of Sabbath observance in demanding physical rest. The command is merely, "Remember the Sabbath day, to keep it holy. . . . The seventh day is the Sabbath of the Lord thy God: in it thou shalt not do any work." In order to know what the Sabbath commandment demands, one must study the life of Christ, for His life magnified and fulfilled the law.

Work by others on any day of the week does not

disturb the one who keeps the spirit of the Sabbath commandment. God does not care for forced obedience; only the obedience which springs from love for God and for His law, can be accepted by Him.

Of Christ it was said: "I delight to do Thy will, O My God: yea, Thy law is within My heart." It is only those who "call the Sabbath a delight, the holy of the Lord, honorable," who are truly obeying the Sabbath commandment. Forced observance of any day of the week by religious organizations is from beneath. It does not bear the impress of the Divine.

## Tinkering With Constitutions

WHEN THE SUPREME COURT OF NEW YORK declared the act of the New York State Legislature unconstitutional relative to furnishing free bus transportation to parochial-school children, a constitutional convention was called, and the constitution of New York was amended so as to make free bus transportation for pupils of parochial schools constitutional.

That is a dangerous procedure and is likely to be imitated in other States where government aid is considered of greater value than the constitutional guaranties of human rights as they were conceived by our forefathers.

The excessive foreign population in certain States does not hesitate to tinker with our constitutions, and to model them after the European ideals of government. It is high time American citizens gave serious thought to this tinkering with our constitutions in order to make them conform to European concepts of government where a union of church and state exists. Such a procedure leads ultimately to the government control of the church. No church can afford to surrender its independence by accepting government aid and support for its educational and religious institutions.

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THOSE who are true to God will be true to others.

ALL religious legislation is based on the false assumption that God needs protection.

It became Christ's painful duty to break down the Pharisaical walls which had been erected to protect God and religion.

A CHURCH that prescribes religious restrictions by resolutions, does so upon the presumption that the Bible is insufficient and needs to be supplemented.

THE greatness of a country is determined not by the resources hidden in the soil, but by the love and devotion of its people to fundamental principles of liberty and justice.

# Opposition to State Aid for Parochial Schools Voiced by Various Groups

**A**LTHOUGH the Evangelical Lutheran Synod maintains several thousand parochial schools in this country, the Atlantic district of the synod has passed a strong resolution opposing giving state aid to parochial schools. The resolution opposes giving state aid for transporting pupils to and from parochial schools in buses and also opposes giving state aid to social welfare services conducted by religious denominations in churches and private schools.

The Lutherans hold that state aid in any form to church schools is in violation of the American principle of a separation of church and state. Lutherans and Baptists hold that a dangerous precedent is established when religious denominations accept state subsidies for their sectarian schools under the disguise of public benevolence and social welfare.

Government aid for religious institutions, the Baptists declared, "is the camel's head in the tent," and in time it will mean that the camel will insert his body and reign supreme.

The citizens' union which opposed the New York amendment to the constitution granting state aid to sectarian schools stated that "the acceptance of the amendment to grant such benevolent aid to church schools was the price of getting a few improvements offered, while the church schools would be swallowing a large dose of poison along with the bread."

Before some two hundred pastors and laymen, a committee of the Texas general Baptist convention, the Rev. C. B. Jackson, a Baptist minister, voiced this warning:

"Our parochial schools are accepting Federal money, and if government money can be used for our schools, it can be applied to our churches. We are moving toward a union of church and state in America. Brethren, it's time for us to wake up."

**A** NEWS DISPATCH from Lowell, Massachusetts, sets forth the voice of the Congregational and Christian Church Union:

"With only one dissenting vote, the 800 delegates to the 138th annual State conference of Congregational and Christian Churches today adopted a resolution calling for repeal by the next legislature of the law providing free transportation for pupils in private and parochial schools.

"Declaring his position was dictated 'without antagonism or antipathy toward our Catholic brethren,' the Rev. Clarence Dunham, of Dorchester, said he feared the free-transportation law might prove an

entering wedge for special appropriations for sectarian schools.

"The resolution, as presented by the Rev. Edward C. Camp, of Watertown, described the law as of doubtful constitutionality and said it 'consists of a violation of the fundamental principle of separation of church and state.'

"Insisting their position did not spring from bigotry or intolerance, the advocates of repeal described the present law as 'unconstitutional in spirit and in letter' and called for its repeal by enacting house bill 1218, which has been referred to the next session.

"No one spoke in opposition to the resolution."

**O**UR READERS will recall that in past issues we have presented some facts concerning a case in the courts of Iowa involving the legality of the wearing of distinctive religious garb by teachers in the public schools of that State, and the paying of public funds to teachers belonging to any religious order whose members have taken the vow of poverty.

It will be recalled that when Hon. Edward L. O'Connor was attorney general of Iowa, he ruled against the practice of wearing religious garb by public school teachers. A certain nun in the Cosgrove consolidated school district sued for the salary which had been denied her because of the attorney general's opinion. She won her suit in the district court. Three or four taxpayers sought to intervene, but were refused permission by Judge Evans in the lower court on the ground that their suit was barred by a time limitation. The interveners appealed to the supreme court of the State.

On December 13, 1938, this high tribunal reversed the decision of the lower court, holding that it erred in refusing to hear the interveners' suit and remanded the case for trial by the lower court.

Since we believe in the complete separation of church and state and decry any use of state funds for sectarian purposes, we are glad for this decision and shall fervently hope that the interveners may win their suit when it is heard on its merits in the district court.

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THE Constitution does not create, but merely safeguards, the natural and inalienable rights of the citizen.

THE processes of retrogression are not always reversible.



# • Editorials •

## **Stahlman Challenges Press-Muzzling Efforts**

**THE PRESIDENT** of the American Newspaper Publishers' Association, Mr. James G. Stahlman, of Nashville, Tennessee, chieftain of the *Nashville Banner*, in speaking before the California Newspaper Publishers' Association on January 21 at its fifty-first annual convention, held in Fresno, California, made an earnest plea in defense of our constitutional liberties granted under the Bill of Rights, which we wish to share with the readers of *LIBERTY*:

"A free press is no publisher's right. It is the sole right of a free people, and newspapers are but trustees of that right. We must be as determined in our efforts to preserve all of the constitutionally guaranteed freedoms as we are a free press, namely: Those of speech, assembly, petition, and religion. And may I add one more, a free ballot?—for without a free ballot no democracy can exist, and there can be no freedom of ballot where the right of franchise of millions is tied to the purse strings of the government.

"For the purpose of this talk, at least for the time being, may I ask that, if necessary by a stretch of your respective imaginations, we consider that we are still living in a democracy?

"Nations today are at one another's throats because of the conflict between various concepts of government. Fascism and Naziism clash with communism; all three clash with democracy. Democracy is making its last stand, and the bulwark between democracy and either of the other three current ideologies is those human rights heretofore wrung from tyrants and written in the great charters of liberty, from Magna Charta down through to our own Federal Constitution. They are the guaranty of free speech, a free press, the right of assembly, freedom of learning and freedom of conscience.

"The most essential of these for the preservation of a democracy are free speech and a free press. The two are almost synonymous, and they are inseparable.

"Freedom of speech is a right of the individual citizen, guaranteed to him under the Bill of Rights of the Constitution, which you may be surprised to know, is still the fundamental law of the land.

"Never was there a more appropriate time in the history of the world to take stock on the status of free speech and a free press, for a free press is the best guaranty of the maintenance of free speech.

"A free press does mean my obligation and responsibility to keep you informed through a truthful and unbiased presentation of the news which is your right

and which will enable you to determine those things of a public nature which are either favorable or inimical to your welfare.

"A free press does mean my responsibility to comment fairly and intelligently in the editorial columns upon those things in order that you may reach sound and enlightened decisions on matters most affecting your present and your future."

C. S. L.

## **A Victory for Civil Rights**

**THE THIRD** United States circuit court of appeals upheld the decree of Federal District Judge Clark, forbidding the Jersey City authorities to interfere with the meetings of the C.I.O. The Jersey City ordinance, which prohibits the distribution of handbills and the posting of placards, was declared unconstitutional.

The ordinance in question forbade any public meeting without a permit from the director of public safety, and left it to his discretion to grant or to withhold the permit. Such an ordinance, the court declared, "permits the imposition of previous restraint upon the right of the individual to speak before an assembly of his fellows in a public place." It "therefore prohibits peaceable assembly except upon terms repugnant to free speech." The court further declared:

"The interpretation of the rights of free speech and free assembly contended for by the appellants is shocking and places these rights in the hands of those who would destroy them. Applying the appellants' doctrine literally, political speakers might not stump a city in an election if their opponents objected to what they had to say and threatened disorder."

The ordinance against the distribution of handbills, the posting of placards, etc., was in flat violation of fundamental civil rights and the freedom of the press, guaranteed by the Fourteenth Amendment.

"We think," says the court, "that an American community, devoted to American principles, cannot exist upon the terms offered by the appellants."

The *New York Times* aptly remarks that "by now it must be getting clear even to Mayor Hague that Hudson County is a part of the United States and must quit denying or abridging the rights of citizens of the United States."

"Personal principalities" must learn that they are subject to the Bill of Rights. We hold no brief for the C.I.O. At times, it does things which we cannot approve; it advocates policies which we think are un-American. But that is no reason for us to tear



down the Statue of Liberty and violate the constitutional guaranties of free speech, a free press, and the right of assembly. If they are un-American, we must not become un-American in opposing them. We may succeed in damming up free speech and clamping the lid down on a belching volcano for a little while, but certainly not for long. It always pays to let the volcano spout instead of blowing off the top or rending its sides. Nothing is gained by denying to others the rights we wish to enjoy ourselves.

C. S. L.

## **Maryland Sunday Law Ridiculous**

THE BALTIMORE *Sun* of February 20, carried a news item that the police authorities arrested Mrs. Mary Selden, at 1000 North Eutaw Street, Baltimore, Maryland, for selling a nickel's worth of onions to Mrs. Evelyn Blankenship on Sunday. The police informed Mrs. Selden that on Sundays she could sell milk, bread, fruits, ices and ice creams, cigars and cigarettes, auto accessories, lubricants and gasoline, but was prohibited from selling onions. The police also informed her that cooked beef could be sold by a delicatessen store on Sunday, but not by a grocery store.

Such theological hairsplitting reduces the Sunday laws to the *nth* degree of absurdity. The wonder of it all is that intelligent State legislators in their enlightened age will allow such antiquated, ridiculous, un-American religious statutes to remain on the State statute books to plague citizens year after year. The Puritan who conceived the idea that it was wrong to sell a nickel's worth of onions on Sunday, but not a sin to sell cigarettes, must have been a grower of tobacco. It is remarkable how many of our religious opinions are influenced by selfish motives. It is high time that our legislators repealed these religious laws and granted citizens religious liberty and effected a separation of church and state.

## **Federal Educational Bill Dangerous**

THE NEW FEDERAL EDUCATIONAL BILL, H.R. 3517, introduced into Congress by Congressman Larrabee of Indiana, chairman of the House Committee on Education, has plenty of religio-political dynamite in it. It has in it a proviso which reads as follows:

"Provided, that nothing in this Act shall be construed to prohibit any State legislature . . . from making available to children legally in attendance at *nonpublic* schools any services of health, welfare, books, reading materials, or transportation of pupils that may be made available through expenditure of

Federal funds for children in attendance at public schools."

The National Education Association has gone on record as definitely and emphatically opposed to granting Federal aid to nonpublic schools. It is apparent that another organization than the N.E.A. is sponsoring the movement to obtain aid for the parochial schools. The N.E.A. has taken a noble stand, and would rather see the public schools suffer for lack of support than to have this dangerous innovation made. It well expressed its attitude thus:

"The maintenance of the doctrine of the separation of church and state is of greater importance to the American people than is the distribution of Federal money in support of the schools of the several States."

In this attitude concur many other organizations that believe in the complete separation of church and state, and the bill with this proviso has little chance of passage.

## **Weaving Religion Into Law**

IT IS EXCEEDINGLY DIFFICULT for some zealous religionists to refrain from incorporating their religious notions into civil law whenever an opportunity presents itself to do so, whether it is proper or not. Some people, as soon as they are elected to a civil office or to the legislature, find it impossible to withstand the temptation to take advantage of their public office to legislate their own religious customs into law, so that everybody will be required to comply under duress of the law.

As an illustration of this peculiarity in some legislators, we find that the legislators of New Hampshire wanted to get rid of the common woodchuck, and so they made a law offering a bounty of ten cents for every woodchuck that was killed in the State, but, stated the law: "Provided, That no bounty shall be paid for any woodchuck killed on Sunday." Were not the woodchucks killed on Sunday just as dangerous to the State as those killed on Monday? On what basis could the State make such a distinction?

There is only one answer to that question. The discrimination between days of the week was purely a religious distinction. If the lawmakers had been orthodox Jews or Seventh-day Adventists, and they had made the law to read that no bounty should be paid for killing woodchucks on Saturday, immediately they would have been accused by the Sunday observers of being guilty of weaving their peculiar religious notions into civil law and requiring others to conform thereto. Why not practice the golden rule when we enact civil laws, and have all parties remain neutral upon the subject of religion, weaving only civil matters into civil law, and allowing religion to be a personal and voluntary matter between the individual and his God, as it really is?

C. S. L.

## **"Liberty" Gaining Many Friends**

MANY LETTERS of appreciation of the *LIBERTY* magazine are received from men in all the walks of life. We have recently received two letters from attorneys in California which we wish to share with the friends of the *LIBERTY* magazine.

Attorney Henry C. Gardiner, of San Diego, California, under date of January 6, 1939, writes:

"I have read with much interest and enjoyment the articles in *LIBERTY* on the Constitution by some of the men of highest standing in the nation. I might add that reading *LIBERTY* has changed my views entirely regarding Sunday legislation. I now believe that you have the right attitude."

Another attorney, Marshall Stimson, of Los Angeles, California, under date of January 25, 1939, writes:

"I read with interest the issues of *LIBERTY* as they come to my desk. The attempt on the part of religious organizations to secure public funds for sectarian schools is most dangerous to the American idea. Free textbooks and free bus transportation to private schools is something that should never be permitted. A man should have a right to send his children to any school that he may deem fit; however, if he does not take advantage of the public schools, he should not have the benefit of public funds.

"The purpose of this letter is to call your attention to the fact that the various forms of freedom guaranteed by the United States Constitution are endangered unless those who believe in those guaranties of individual freedom stand together. One group may be more interested in the religious freedom aspect; another in the freedom of the press; another in freedom of speech; and still another in freedom of the individual from bodily interference. When organized groups become powerful enough to cause the government to deprive citizens of any of these rights, all are endangered.

"There are, of course, many instances where the government must use compulsion. There must be compulsory education of children, but to the parents is left the choice of whether it shall be public or private. There must, of course, be compulsory enforcement of quarantine and the suppression of the sale of poisons and bad food, and so forth. However, our government, in so-called health matters, is going far beyond this type of regulation. Our health departments are often headed by little 'would-be czars.' To compel a person to submit to compulsory vaccination or serumization or to enforce the same against his children is a violation of the right of an individual to freedom from bodily interference. To inject

poison into the blood stream is obnoxious to a large section of our population.

"Now comes the proposal for compulsory health insurance. Compelling persons to contribute to the support of a system of healing in which they do not believe, and compelling them to accept a course of treatment, may do violence to their medical or religious beliefs, and this is wrong in principle. Compulsory health insurance is another step toward abolishing individual freedom. It causes the government to set up an enormous machine. It will have all the evils of bureaucracy. It will retard medical progress and invade the home. It will compel individuals to support and provide medical care for those whose illnesses are caused by their own vice and wrongdoing—ills caused by filthy habits, the use of tobacco and liquor, and private immorality. The cost will be forcibly placed upon those who abhor and oppose these evils."

## **NEWS and COMMENT**

*Idaho Sunday Law Repeal Urged.*—The thirty-year-old Sunday law of Idaho, one of the most drastic in all the States of the Union, which has been enforced during the last two months, and which resulted in considerable religious persecution, has created much resentment on the part of the public. A repeal bill is now pending before the Idaho Legislature. Unless these antiquated Sunday laws are repealed, religious freedom and the free exercise of the conscience in religious matters is impossible.

*Ask World's Fair Be Closed on Sunday.*—The Lord's Day Alliance of America and the Social Action Commission of the New York State Council of Churches made an urgent appeal to the World's Fair officials to close the exposition on Sundays.

No one objects to these religious organizations using their persuasive powers with the officials of the World's Fair to close it on Sundays. Here they are within their rights. But failing with the officials to persuade them, now they are resorting to the New York State Legislature to close the World's Fair by law, against the convictions of the World's Fair officials. Here we have to take decided issue with these religious organizations. They have a right to persuade all men to observe Sunday, but they have no right to force any man under the penal codes to observe Sunday or any other religious custom under duress of the civil magistrate.

*Sunday a Day for Fishing.*—The Rev. Emerson W. Harris, pastor of the Butte, Montana, United Congregational church, stated: "My congregation and I want to do some fishing this year, but we want to go to church, too. So for the rest of the summer

we will hold our regular services on Wednesday evening instead of Sunday morning, so that we can fish on Sunday with a clear conscience."

The Congregational Church back in the days of the Puritans in New England, put men in the stocks and set them in the ducking stool for a good dousing in the public pond for fishing on Sunday. We have made some progress toward liberty since then.

*Another Pastor Goes Fishing on Sunday.*—Rev. Lawrence Larowe, pastor of the Methodist church in Springfield, Vermont, precipitated a religious controversy by going trout fishing on Sunday. He caught eight speckled beauties and felt he had "spent a Christian Sunday." His church trustees are now considering what, if any, wrong he did "in casting a fly on Sunday," and "in playing hookey from his job on Sunday." The public is taking "a hand in the tilting," and the Vermont Legislature is considering a revision of its Sunday laws.

*Judges Disagree on Flag Salute.*—A Pennsylvania Federal judge, Albert B. Maris, recently ruled that it was unconstitutional to require school children to salute the American flag in contravention of their religious beliefs, and ordered the school board to reinstate the children who had been expelled for refusal to salute the flag. In New York State, however, the court of appeals had handed down a divided opinion holding that the school authorities had a right to compel children to salute the national emblem. Judge Lehman, who dissented from the New York decision, said: "The salute of the flag is a gesture of love and respect—fine where there is real love and respect back of the gesture. The flag is dishonored by a salute by a child in reluctant and terrified obedience to a command of secular authority which clashes with the dictates of conscience. The flag, 'cherished by all our hearts,' should not be soiled by the tears of a little child. The constitution does not permit and the legislature never intended that the flag should be so soiled and dishonored."

*Adventist Charged With Sabbathbreaking.*—J. H. Harris, a Seventh-day Adventist who operated a grocery store on Sunday in Raleigh, North Carolina, was arrested and charged with "breaking the Sabbath." At the trial before the court, Harris said: "I close my store up on Saturday, the true Sabbath, and why should I have to stay shut on Sunday? The national Constitution gives me the right to worship as I please, and to follow the practices of my religious denomination." Judge Wiley G. Barnes suspended judgment in the case of Harris, as well as on seven other grocers who operated stores on Sunday, and who do not observe the seventh day of the week as their Sabbath. The judge had doubts as to the validity of the Sunday law in the case of Mr. Harris.

**SECOND QUARTER**

*Jews Ready to Follow the Pope.*—The Jewish Advocate, a weekly newspaper, called upon Pope Pius XI to lead a "twentieth-century crusade" against "tyrannical dictatorships," saying: "Your Holiness, the Jews of the world stand ready to join with any force which will arise to lead our civilization back to sane thinking. A great figure is needed as a rallying point about which may gather all the elements of religion, faith, and democracy. . . . Issue a call for united action by all lovers of peace and good will among men."

## **SPARKS From the Editor's Anvil**

IT is more difficult to keep and protect liberty than to win it.

A FREE people can remain free only by abhorring intolerance.

SELF-PITY distorts our views of life and disqualifies us to meet its responsibilities.

ZEAL ceases to be a virtue when it is misguided and deprives others of their natural rights.

LEGITIMATE sources of enjoyment should be encouraged by the state, and not prohibited.

As well might one propose a substitute for God as a substitute for the inalienable rights of man.

THE Sabbath was made for man, not by man; therefore man should not regulate it, but let it control him.

THE vendors of intolerance and hate find a ready market for their wares among the ignorant and superstitious.

INDEPENDENT thinking, when based on common sense, courage, and intelligence, still meets with success.

THE exaltation of government to supreme authority and power over all things means the degradation of mankind.

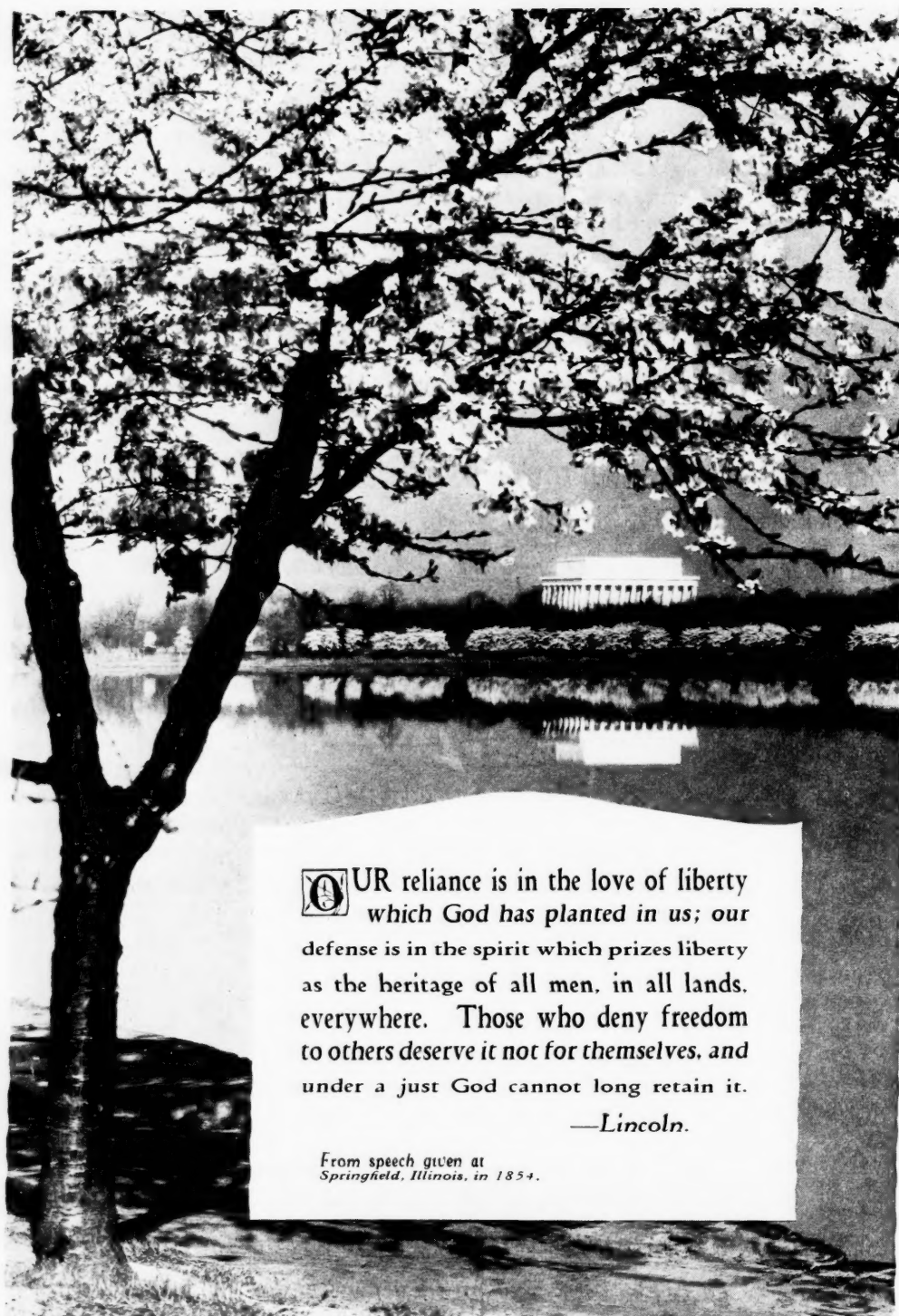
AMERICA's greatness has grown out of the ideals of human freedom as conceived by the framers of the Constitution.

IF a person is jealous only for his own rights and liberties, he is a perfect stranger to the fundamental principle of liberty.

THE state has no more right to encroach upon my birthright of liberty, than I have to encroach upon the birthright of another.

IF majority rule is to control all things—human and divine—the inalienable rights of man will pursue a course as precarious as the path of a leaf in a storm.





**O**UR reliance is in the love of liberty  
which God has planted in us; our  
defense is in the spirit which prizes liberty  
as the heritage of all men, in all lands,  
everywhere. Those who deny freedom  
to others deserve it not for themselves, and  
under a just God cannot long retain it.

—Lincoln.

*From speech given at  
Springfield, Illinois, in 1854.*



